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Attorney for Debtor,
Gerard Q. Decker, IV
Aka Rod Decker

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re Gerard Q. Decker, IV,)
Aka Rod Decker,)
Debtor.)

Case No. 09-10655 AJ

Chapter 7

**ORDER DENYING DEBTOR'S
MOTION FOR REINSTATEMENT
OF AUTOMATIC STAY AS TO
SECURED CREDITOR ONE WEST
BANK FSB**

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Order Denying Debtor's Motion for Reinstatement of Automatic Stay as to
Secured Creditor One West Bank FSB

1 The debtor's motion for the reinstatement of the automatic stay as to secured creditor
2 One West Bank FSB, including the debtor's related request that the court determine that a
3 foreclosure sale conducted by the bank in July of this year is void, came on regularly for hearing
4 before The Honorable Alan Jaroslawosky, United States Bankruptcy Judge. Attorney John G.
5 Warner appeared for the moving party debtor Gerardo K. Decker, IV; attorney Ray H. Olmstead
6 appeared for third party Karen Griggi; and attorney Nicolas Daluiso appeared by telephone for
7 secured creditor One West Bank FSB.

8 After considering both written and oral arguments made in connection with the motion,
9 and for reasons stated on the record at the hearing on the motion, the court hereby denies the
10 motion, but without prejudice to the debtor in bringing a separate proceeding or action,
11 whichever may be appropriate, to seek damages against the bank or any other party that the
12 debtor believes is legally responsible for the harm that he has alleged in this motion.

13 **IT IS SO ORDERED.**

14
15 Dated: November 24, 2009

16 
17 Alan Jaroslawosky
18 U.S. Bankruptcy Judge

19 APPROVED AS TO FORM

20 /s/ Ray H. Olmstead

21 Dated: November 2, 2009

22 _____
23 Ray H. Olmstead
24 Attorney for Karen Griggi

25 /s/ Nicolas Daluiso

26 Dated: November 4, 2009

27 _____
28 Nicolas Daluiso
Attorney for One West Bank FSB

Order Denying Debtor's Motion for Reinstatement of Automatic Stay as to
Secured Creditor One West Bank FSB